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April 20, 2021

VIA ECF

Hon. Michael A. Hammer
United States Magistrate Judge
U.S. District Court, District of New Jersey
MLK Jr. Federal Bldg. & U.S. Courthouse
50 Walnut Street, Room MLK 2C
Newark, New Jersey 07102

Re: *Ali Karimi v. Deutsche Bank Aktiengesellschaft, et al.,*
Case No. 2:20-cv-08978-ES-MAH

Dear Magistrate Judge Hammer:

We represent the Defendants in the above-captioned action (the “Action”). We write in response to Your Honor’s April 19, 2021 Text Order (Dkt. No. 44) regarding our April 15, 2021 letter seeking leave to move for a transfer of this Action to the United States District Court for the Southern District of New York pursuant to 28 U.S.C. § 1404(a) (Dkt No. 43).

Defendants’ intent is to move in the alternative (i) to dismiss this Action pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, or (ii) to transfer the Action to the Southern District of New York pursuant to 28 U.S.C. § 1404(a). We understood that Section II(E)(i) of Judge Salas’s General Pretrial and Trial Procedures required that we seek leave to file a motion to transfer, but not to file a motion to dismiss. Therefore, we timely filed our motion to dismiss and, at the same time, sought leave to move to transfer.

We apologize for any confusion we created. Depending on the Court’s preference, and assuming leave to move to transfer is granted, we could file a separate motion to transfer, or withdraw the pending motion to dismiss and re-file a combined motion to dismiss and motion to transfer. If the Court prefers the latter, we respectfully request leave to file an oversized brief of 42 pages.

Respectfully submitted,

/s/ Mark C. Errico
Mark C. Errico

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Hon. Michael A. Hammer
April 20, 2021

cc: All Counsel of Record (via ECF)